

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

J. HENDERSON,

Plaintiff,

v.

Case No. 07-CV-11363-DT

K. BAKKER,

Defendant.

AMENDED ORDER DISMISSING CASE¹

On April 5, 2007, the court issued an order to show cause in the above-captioned case. In that order, the court ordered Plaintiff J. Henderson to “show cause in writing, on or before Wednesday, April 25, 2007, why this case should not be dismissed for lack of subject matter jurisdiction.” (4/5/07 Order at 2 (emphases omitted).) Plaintiff filed his response on April 27, 2007.² Because Plaintiff’s response fails to adequately respond to the court’s concerns, his case will be dismissed.

In his response, Plaintiff first vaguely alleges that Defendant K. Bakker’s prosecutorial immunity is “invalidated by the Defendant’s inflammatory statements, action & or [sic] inactions, thus, liability arises for the Defendant’s individual misconduct.” (Pl.’s Resp. at 1.) This argument is factually vague and unsupported by the case law that Plaintiff cites in support of his argument. Second, Plaintiff’s claim that

¹This order replaces the court’s April 30, 2007 order [Dkt. #6].

²Although the court’s clerk’s office received Plaintiff’s response on April 27, 2007, the response was not docketed until April 30, 2007. The court was therefore unaware of Plaintiff’s response when it issued its original order dismissing Plaintiff’s case for failure to respond. (See 4/30/2007 Order.)

first and fifth amendments of the United States Constitution “authorizes this Court excuse the principles of abstention to enable the Plaintiff . . . to petition the Government for a redress of grievance [sic],” (*id.* at 2), is baseless and unsupported by law. Finally, the court rejects as frivolous Plaintiff’s claim that a stay should issue because “[o]fficial[s] threaten to kill the Plaintiff; his families, the President of the United States & the Governor of Michigan.” (*Id.* at 3.) Accordingly,

IT IS ORDERED that this case is DISMISSED for the reasons stated in the court’s April 5, 2007 order.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 2, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 2, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522